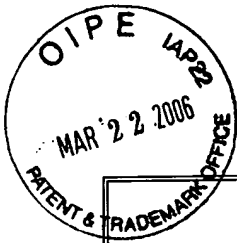


17e



Atty. Docket No. SP-1754.1 US

**CERTIFICATE OF MAILING**

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

March 20, 2006  
Date

Shirley E. O'Donnell  
Shirley E. O'Donnell

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Jack W. Marple  
Serial No. : 10/719425  
Filing Date : November 21, 2003  
For : High Discharge Capacity Lithium Battery  
Art Unit : 1745

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

**SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(b)**

Pursuant to 37 CFR §§1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed more than three months after the filing date of the above-referenced application but, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of the listed documents is submitted herewith along with Form PTO-1449. Applicant respectfully requests that the Examiner consider each of the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.


If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 05-1325.

Respectfully submitted,

**Jack W. Marple**

By: Eveready Battery Company, Inc.

3/20/06  
Date

  
\_\_\_\_\_  
Russell H. Toyé, Jr.  
Registration No. 43,200  
25225 Detroit Road  
Post Office Box 450777  
Westlake, OH 44145  
Phone: (440) 835-7343  
Fax:: (440) 899-6072

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet

1

of

1

**Complete if Known**

Application Number	10/719425
--------------------	-----------

Filing Date	November 21, 2003
-------------	-------------------

First Named Inventor	Jack W. Marple
----------------------	----------------

Art Unit	1745
----------	------

Examiner Name

Attorney Docket Number	SP-1754.1 US
------------------------	--------------

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		EP 1296389 A	03/26/2003	Wilson Greatbatch Tech.		
		EP 1097962 A	05/09/2001	Tonen Chemical Corp.		

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

**If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.**